

PUBLIC NOTICE

NOTICE OF PROPOSED ADMINISTRATIVE ORDER AND PENALTY ASSESSMENT, AND OPPORTUNITY TO COMMENT

RESPONDENTS: Enterprise Terminals and Storage, LLC
1100 Louisiana Street
Houston, Texas 77002

Enterprise Products Operating, LLC
1100 Louisiana Street
Houston, Texas 77002

SITE/FACILITY: Harford Mills Terminal
291 Route 200
Harford, NY 13784

PERMIT NUMBER: Not applicable

DOCKET NO. SDWA-02-2011-8902

PUBLIC NOTICE NO. 2011-36

COMPLAINANT: Dore LaPosta, Director
Division of Enforcement and
Compliance Assistance
U.S. EPA, Region 2
290 Broadway
New York, NY 10007-1866

PUBLIC COMMENT PERIOD: 30 days from publication date

SUMMARY & DESCRIPTION OF VIOLATION: EPA is providing notice of a proposed administrative order and penalty assessment for alleged violations of the Safe Drinking Water Act (Act). EPA is also providing notice of opportunity to comment on the proposed administrative order and penalty assessment.

Part C of the Safe Drinking Water Act (SDWA) specifically mandates regulation of the underground injection of fluids through wells to ensure that the quality of underground sources of drinking water is protected. Section 1422 of the SDWA requires the EPA to administer UIC programs in states that do not have approved UIC programs. New York has not acquired primacy over the UIC program pursuant to 40 C.F.R. Part 147 and, therefore, the EPA administers the program in New York.

The Complaint addresses two injection wells that are owned by Enterprise Terminals and Storage, LLC and operated by Enterprise Products Operating, LLC (Respondents).

Respondents, without authorization by rule or permit, injected brine into the two injection wells in connection with liquefied petroleum gas storage operations. Respondent therefore failed to comply with 40 C.F.R. §144.11.

RELIEF SOUGHT: Respondent shall be ordered to submit one or more of:

1. A complete permit application,
2. A notice that the wells will be converted to a non-regulated use,

3. Notice that one or more of the wells will be permanently plugged and abandoned accompanied by an approvable plugging and abandonment (P&A) plan. If a P&A notice and plan are submitted, the well or wells shall be plugged within one year after the effective date of the Order.

In addition, EPA is proposing a penalty of \$31,000.

FOR FURTHER INFORMATION: Karen Maples, EPA Region 2, 290 Broadway, 16th Floor, New York, New York 10007 (212) 637-3247.

Persons wishing to receive a copy of EPA's Consolidated Rules, or review documents filed in these proceedings, comment upon the proposed assessments, or otherwise participate in any of the proceedings, should contact the Regional Hearing Clerk. Unless otherwise noted, the administrative record for these proceedings is located in the EPA Regional Office identified above, and the files will be open for public inspection during normal business hours. All pertinent information submitted by the Respondents is available as part of the administrative record, subject to provisions of law restricting public disclosure of confidential information.